

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RENEE MICK, Individually and as
Administratrix of the Estate of Jerry R. Mick,
Jr.,
Plaintiff,

v.

ORDER
08-CV-386A

GLAXOSMITHKLINE, PLC, et al.,

Defendants.

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On August 12, 2008, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendants' motion to stay proceedings be granted and plaintiff's motion for remand of the action be stayed pending determination of transfer issue and, if transferred, considered by the Multidistrict Panel court.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendants' motion to stay proceedings is granted and plaintiff's motion for remand of the action is stayed pending determination of transfer issue and, if transferred, considered by the Multidistrict Panel court.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: September 2, 2008